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Supplemental Information Disclosure Statement

This Supplemental Information Disclosure Statement is submitted under 37 C.F.R. \$1.97(c)(2)\$ to supplement the Information Disclosure Statement filed on March 26, 2003 in connection with the subject application.

In accordance with their duty of disclosure under 37 C.F.R. \$1.56, applicants direct the Examiner's attention to the following references which are listed on the attached Form PTO-1449 (Exhibit C), and certain of which are attached hereto as Exhibits 1-39:

- U.S. Patent No. 5,994,515, issued November 30, 1999 to J.A. Hoxie (Exhibit 1);
- U.S. Patent No. 6,107,019, issued August 22, 2000 to G.P. Allaway et al. (Exhibit 2);
- 3. U.S. Patent No. 6,344,545 B1, issued February 5, 2002 to G.P. Allaway et al. (Exhibit 3);
- 4. U.S. Patent No. 6,528,625 B1, issued March 4, 2003 to L. Wu et al. (Exhibit 4);
- 5. U.S. Patent No. 6,548,636 B2, issued April 15, 2003 to T. Dragic and W.C. Olson (Exhibit 5);
- U.S. Patent No. 6,759,519 issued July 6, 2004 to Y. Li and
 S. M. Ruben (Exhibit 6);
- 7. Allowed claims in T. Dragic and W.C. Olson, U.S. Serial No. 10/323,314, filed December 19, 2002 (Exhibit 7);

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- 8. G.P. Allaway et al., U.S. Serial No. 08/627,684, filed April 2, 1996 (now abandoned) (Exhibit 8);
- 9. G.P. Allaway et al., U.S. Provisional Application No. 60/014,532, filed April 2, 1996;
- 10. G.P. Allaway et al., U.S. Serial No. 08/663,616, filed June
 14, 1996 (now abandoned) (Exhibit 9);
- 11. G.P. Allaway et al., U.S. Provisional Application No. 60/019,715, filed June 14, 1996;
- G.P. Allaway et al., U.S. Serial No. 08/673,682, filed June
 12. 1996 (now abandoned) (Exhibit 10);
- 13. G.P. Allaway et al., U.S. Serial No. 08/665,090, filed June 14, 1996 (now abandoned) (Exhibit 11);
- 14. G.P. Allaway et al., U.S. Provisional Application No. 60/019,941, filed June 14, 1996;
- 15. G.P. Allaway et al., U.S. Serial No. 08/874,570, filed June 13, 1997 (now abandoned) (Exhibit 12);
- 16. G.P. Allaway et al., U.S. Serial No. 08/874,618, filed June 13, 1997 (now abandoned) (Exhibit 13);
- 17. Pending claims in G.P. Allaway et al., U.S. Serial No. 09/724,105, filed November 28, 2000 (Exhibit 14);
- 18. Pending claims in G.P. Allaway et al., U.S. Serial No. 09/852,238 filed May 9, 2001 (Exhibit 15);
- 19. W.C. Olson and P.J. Maddon, U.S. Serial No. 09/212,793,

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filed December 16, 1998 (now abandoned);

- 20. W.C. Olson and P.J. Maddon, U.S. Provisional Application No. 60/112,532, filed December 16, 1998;
- 21. W.C. Olson and P.J. Maddon, U.S. Serial No. 09/464,902, filed December 16, 1999 (Exhibit 16);
- 22. W.C. Olson and P.J. Maddon, U.S. Serial No. 09/594,983,
 filed June 15, 2000 (Exhibit 17);
- 23. W.C. Olson et al., U.S. Serial No.09/663,219, filed September 15, 2000 (Exhibit 18);
- 24. W.C. Olson and P.J. Maddon, U.S. Provisional Application No. 60/282,380, filed April 6, 2001 (Exhibit 19);
- 25. W.C. Olson et al., U.S. Provisional Application No. 60/266,738, filed February 6, 2001 (Exhibit 20);
- 26. W.C. Olson and P.J. Maddon, U.S. Patent Application Publication No. 2002/0146415 A1, published October 10, 2002 (Exhibit 21);
- 27. W.C. Olson and P.J. Maddon, U.S. Patent Application Publication No. 2002/0106374 A1, published August 8, 2002 (Exhibit 22);
- 28. W.C. Olson and P.J. Maddon, U.S. Serial No. 10/081,128, filed February 22, 2002 (now abandoned) (Exhibit 23);
- 29. W.C. Olson and P.J. Maddon, U.S. Provisional Application No. 60/358,886, filed February 22, 2002;

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- 30. William C. Olson and Paul J. Maddon, U.S. Publication No. 2003/0044411 A1, published March 6, 2003 (Exhibit 24);
- 31. T. Dragic and W.C. Olson, U.S. Patent Application Publication No. 2003/0092632 A1, published May 15, 2003 (Exhibit 25);
- 32. W.C. Olson et al., U.S. Patent Application Publication No. 2003/0228306 A1, published December 11, 2003 (Exhibit 26);
- 33. Pending claims in W.C. Olson and P.J. Maddon, U.S. Serial No. 10/763,545, filed January 23, 2004 (Exhibit 27);
- 34. Pending claims in G.P. Allaway et al., U.S. Serial No. 09/460,216, filed December 13, 1999 (Exhibit 28);
- 35. PCT International Application Publication No. WO 97/26009, published July 24, 1997 (Exhibit 29);
- 36. PCT International Application Publication No. WO 97/45543, published December 4, 1997 (Exhibit 30);
- 37. PCT International Application Publication No. WO 97/47319, published December 18, 1997 (Exhibit 31);
- 38. PCT International Application Publication No. WO 97/49424, published December 31, 1997 (Exhibit 32);
- 39. PCT International Application Publication No. WO 98/56421, published December 17, 1998 (Exhibit 33);
- 40. PCT International Application Publication No. WO 00/35409, published June 22, 2000 (Exhibit 34);

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- 41. PCT International Application Publication No. WO 01/64710, published September 7, 2001 (Exhibit 35);
- 42. PCT International Application Publication No. WO 02/22077, published March 21, 2002 (Exhibit 36);
- 43. PCT International Application Publication No. WO 02/068608, published September 6, 2002 (Exhibit 37);
- 44. PCT International Application Publication No. WO 02/083172, published October 24, 2002 (Exhibit 38); and
- 45. PCT International Application Publication No. WO 03/072766, published September 4, 2003 (Exhibit 39).

The Examiner is respectfully requested to make these references of record in the present application by initialing and returning a copy of the enclosed Form PTO 1449.

C.F.R. \$1.98(a)(2)(iii) provides that an Information Disclosure Statement shall include, for each cited pending U.S. application, a legible copy of the application specification including the claims and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion. Under 37 C.F.R. \$1.98(c), when the disclosures of two or more patents or publications listed in an Information Disclosure Statement are substantively cumulative, a copy of one of the patents or publications may be submitted without copies of the other patents or publications, provided it is stated that these other patents or publications are cumulative. In accordance with 37 C.F.R. §1.98(c), copies of certain references listed above are not being submitted herewith as they are cumulative.

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Specifically, U.S. Serial No. 10/323,314, filed December 19, 2002 (and published July 24, 2003 as U.S. Patent Application Publication No. 2003/0139571), is a continuation of U.S. Serial No. 09/796,202, filed February 28, 2001 which issued as U.S. Patent No. 6,548,636 B2 (reference 5). Therefore, a copy of U.S. Serial No. 10/323,314 is not attached hereto. However, in accordance with 37 C.F.R. \$1.98(a)(2)(iii), a copy of the claims allowed in U.S. Serial No. 10/323,314 is attached hereto as Exhibit 7.

- U.S. Serial No. 09/852,238, filed May 9, 2001 (and published May 6, 2004 as U.S. Patent Application Publication No. 2004/0086528), is a continuation of 09/724,105, filed November 28, 2000, which is a continuation of U.S. Serial No. 08/874,618, filed June 13, 1997 (reference 16). Therefore, copies of U.S. Serial No. 09/724,105 and U.S. Serial No. 09/852,238 are not attached hereto. However, in accordance with 37 C.F.R. \$1.98(a)(2)(iii), copies of the claims pending in U.S. Serial No. 09/724,105 and U.S. Serial No. 09/852,238 are attached hereto as Exhibits 14 and 15, respectively.
- U.S. Serial No. 10/763,545, filed January 23, 2004, is a continuation of U.S. Serial No. 09/594,983, filed June 15, 2000 (reference 22). Therefore, a copy of U.S. Serial No. 10/763,545 is not attached hereto. However, in accordance with 37 C.F.R. \$1.98(a)(2)(iii), a copy of the claims pending in U.S. Serial No. 10/763,545 is attached hereto as Exhibit 27.
- U.S. Serial No. 09/460,216, filed December 13, 1999, is a national stage application of PCT International Application Publication No. WO 98/56421, published December 17, 1998, (reference 39). Therefore, a copy of U.S. Serial No. 09/460,216 is not attached hereto. However, in accordance with 37 C.F.R. \$1.98(a)(2)(iii), a copy of the claims pending in U.S. Serial No.

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09/460,216 is attached hereto as Exhibit 28.

References 8 and 9 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 9 is not enclosed.

References 10 and 11 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 11 is not enclosed.

References 13 and 14 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 14 is not enclosed.

References 19, 20, and 21 are cumulative to each other since each contains an identical disclosure except that reference 20 contains an additional paragraph at the beginning of the application claiming the benefit of an earlier application, U.S. Provisional Application No. 60/112,532 (reference 20), and also provides the ATCC Accession Number for the PA10 antibody, which Accession Number is not provided in references 19 and 20. Therefore, copies of references 19 and 20 are not enclosed.

References 28 and 29 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 29 is not enclosed.

If a telephone conference would be of assistance in advancing the prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

Pursuant to 37 C.F.R. \$1.97(c)(2) and 1.17(p), a fee of one hundred and eighty dollars (\$180.00) is required for filing the

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enclosed Supplemental Information Disclosure Statement. A fee of one hundred and forty-five dollars (\$145.00) is also deemed necessary in connection with the filing of multiple dependent claims in this Amendment. Finally, a fee of fifty-five dollars (\$55.00) is required for a one-month extension of time for responding to the May 5, 2004 Office Action. Accordingly, a check in the total amount of THREE HUNDRED AND EIGHTY DOLLARS (\$380.00) is enclosed. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

John P. White

Reg No. 28,678

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Attorney for Applicants
Cooper & Dunham, LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400



Form PTO 1449

U.S. Department of Commerce Patent and Trademark Office

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Atty. Docket No. 50875-DA/JPW/AJD

Serial No. 09/888,938

Applicant(s)

Graham P. Allaway et al.

Filing Date June 25, 2001 **Group Art Unit** 1648

U.S. PATENT DOCUMENTS

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^{*}EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Atty. Docket No. | Serial No. | 50875-DA/JPW/AJD | 09/888,938

Applicant(s)

Graham P. Allaway et al.

Filing Date
June 25, 2001

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EXAMINER

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^{*}EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.